

Serial No. 10/800,581

RECEIVED
CENTRAL FAX CENTER

AUG 29 2006

REMARKSI. Introduction

In response to the Office Action dated June 1, 2006, claims 14 and 15-33 have been cancelled, claims 1, 11, and 13 have been amended, and new claim 34 has been added. Claims 1-13 and 34 are in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Office Action Objections

In paragraph 1, the Office Action objects to claim 11 because the term "signal" is redundant. The Applicants thank the Examiner for noting this error. Claim 11 has been amended to remove the second recitation of the word "signal."

III. The Cited References and the Subject InventionA. The Thibadeau Reference

U.S. Patent No. 5,432,542, issued July 11, 1995 to Thibadeau et al. disclose a system for transmitting location specific messages to receivers. Location specific messages or programming are generally broadcast and selectively filtered by user terminals which have encoded one or more arbitrary locations of interest. The area surrounding a user, a remote location, a route to be traveled or the like may be selected for receipt of local warnings, local commercial messages and the like. Transmitted messages contain information targeted to geographical groups of users, with location designation coding accompanying location-specific messages. A geographic location selection code is entered into a data processor coupled to the user's receiver to define the user's selected location(s) of interest. The processor receives the information segment and its designation code and compares the designated location to the selected one. Segments where the designated and selected points or areas overlap are processed, e.g., being displayed, stored or used to trigger a warning. The user's selection code is variable and plural locations can be used and prioritized. Preferably, regions are encoded by their boundaries, e.g., in longitude, latitude, altitude or the like, and in absolute or relative coordinates, and shorthand designations can refer to stored definitions of areas. Filtering segments based on message content, prioritizing the messages and additional features can be

Serial No. 10/800,581

included. The system is especially useful for distributing local commercial messages, hazard warnings or the like.

IV. Office Action Prior Art Rejections

In paragraph (2), the Office Action rejected claims 1 and 5-16 under 35 U.S.C. § 102(b) as being anticipated by Thibadeau et al., U.S. Patent No. 5,432,542 (Thibadeau). Also, in paragraph (3), the Office Action rejected claims 2-4 under 35 U.S.C. §103(a) as being unpatentable over Thibadeau. Applicants respectfully traverse these rejections. The Applicants respectfully traverse for the reasons described below.

With Respect to Claims 1 and 11: As amended, claim 1 recites:

*A method of broadcasting comprising the steps of:
storing a user geographic identifier in a receiver;
generating a broadcast signal from a substitution of a second input data stream from a second source for a first input data stream from a first source if the second input data stream has substantially common content as the first input data stream;
applying an overlay identifying the first source onto said broadcast signal in response to said geographic identifier; and
displaying said overlay and said broadcast signal.*

Claim 1 recites that the broadcast signal is generated from a substitution of a second input data stream from a second source for a first input data stream from a first source if the second input data has substantially common content as the first input data stream, and that the overlay identifies the first source.

Thibadeau does not disclose a system in which a second data stream from a second source is substituted for a first data stream from a first source if there is substantially common content, nor one in which the overlay identifies the first source.

In rejecting claims 2, 3, and 4, the Office Action argued that overlaying text, graphics, or station logos on broadcast messages is well known in the art, and that one of ordinary skill in the art would have been motivated to provide message over video consisting of a text graphic or station logo. Claim 1 now recites that the overlay identifies a source that had been substituted for in the broadcast signal. As described in the Applicants' specification, this feature solves a problem unrecognized and unsolved by Thibadeau the other art of record, namely:

Serial No. 10/800,581

"One drawback to such a system is that the local channel identifier such as logo displays which are broadcast from the local channels are not displayed on screen. Local channels may therefore object to substituting a national feed for their local feed during particular times." (Specification, paragraph [0025])

Accordingly, the Applicants respectfully suggest that there is no teaching any of the art of record to modify Thibadeau as described.

Claim 11 recites features analogous to those of claim 1, and is patentable for the same reasons.

With Respect to Claim 13: As amended, claim 13 recites:

*A receiving device for a broadcasting system comprising:
an overlay memory storing an overlay;
a receive circuit for receiving a broadcast signal;
a geographic identifier memory storing a geographic identifier;
a controller and signal processing circuit for overlaying said overlay signal on said broadcast signal in response to said geographic identifier; and
a local map for identifying said broadcast signal, said controller overlaying in response to said local map.*

Claim 13 has been amended to recite the features of claim 14. In rejecting claim 14, the Office Action argued that the following passage discloses "a local map for identifying said broadcast signal, said controller overlaying to said local map":

While it is preferred to transmit a full definition of the respective region with its corresponding message, for complex regions, particularly those designating broad areas such as political units (cities, counties, states, legislative districts, informal districts such as subdivision or the like), it may be more effective to transmit the name, or a suitably encoded representative of the name, to the receiver. The mapping of the names, or their encoded representation, to the actual regions, can be broadcast separately and stored in the set top unit. An example would be to transmit a county name and the region defining it, whereupon later messages intended for county residents transmit only the county name as a shorthand location designation. For this to be successful, repetitive transmission of the mapping and their shorthand codes are needed to guarantee that all set top units contain the mapping. (col. 13, lines 50-66)

Serial No. 10/800,581

However, the foregoing mapping refers to a mapping of the name of a location to an encoded representation of the name. It does not disclose a map for identifying the broadcast signal.

V. Dependent Claims

Dependent claims 2-10 and 12 incorporate the limitations of their related independent claims, and are therefore patentable on this basis. In addition, these claims recite novel elements even more remote from the cited references. Accordingly, the Applicants respectfully request that these claims be allowed as well.

VI. New Claim

New claim 34 is presented for the first time in this Amendment. Claim 34 recites that the broadcast signal comprises output data streams and that the local map selectively associates broadcast resources to the output data streams. These features render claim 34 even more remote from the teachings of Thibadeau, and hence, patentable over the art of record.


VII. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Serial No. 10/800,581

Respectfully submitted,

Date: August 29, 2006

By: 
Name: Georgann S. Grunebach
Reg. No.: 13,179

The DIRECTV Group, Inc.
CA/LA1/A109
2250 E. Imperial Highway
P. O. Box 956
El Segundo CA 90245

Telephone No. (310) 964-4615